

Guidance notes for completing a Temporary Exemption Notice (TEN) Application

These notes refer to the application for a TEN with respect to a licensable HMO

Step 1- Before you apply

Only the property owner, landlord or manager may apply for a TEN.

Step 2 - Your personal details and the property you wish to exempt

Please complete all sections of the form. If the property is owned by a limited company, partnership or charity, an authorised individual may complete this form.

Step 3 - Evidence to support your application

Please provide required documentation and state the reasons why you are applying for a TEN.

It is a criminal offence to knowingly supply information, which is false or misleading for the purposes of obtaining a TEN. Evidence of any statements made in the application about the property concerned may be required at a later date. If we subsequently discover something which is relevant and which you should have disclosed or which has been incorrectly stated or described, your TEN may be revoked or other appropriate action taken.

Restrictions

- A TEN only applies to one property
- You can only apply for a maximum of 2 notices per property. Only in exceptional circumstances will the second TEN be granted.
- Each notice lasts for a period of 3 months, and the second notice must commence from the end of the first notice.

What happens if your application is refused?

If the local authority decides not to serve a TEN in response to a notification they must inform the applicant of:

1. The decision.
2. The reasons for it and the date on which it was made.
3. The right to appeal against the decision.
4. The period within which an appeal may be made. The person concerned may appeal to a residential property tribunal against the decision within the period of 28 days beginning with the date on which it was made

Application for a Temporary Exemption Notice (TEN) for a licensable house in multiple occupation (HMO) Part 2 of the Housing Act 2004

Please complete this form if you are taking steps, or about to take steps, to ensure the HMO in Section two ceases to be subject to licensing. You must complete this form fully; do not leave any lines blank. A separate application must be made for every property that requires a temporary exemption notice. If you require any assistance in completing this form, please contact the HMO Licensing Team on 020 7974 5969 or by e-mailing us at hmolicensing@camden.gov.uk

There is no fee payable for a Temporary Exemption Notice application.

Please note it is a criminal offence to be managing or in control of a licensable HMO without a licence, a duly made application or a TEN having been issued

Section One: Applicant details (Owner, landlord or manager)	
Title	Mr/Mrs/Miss/Ms/Dr/Other
Forename(s)	
Surname	
Your Address <i>(address of registered office if a limited company)</i>	Post Code:
Telephone/Mobile:	
E-Mail	

Section Two: Details of property	
Address of HMO property requiring exemption	Post Code:
Are you the property owner or manager?	Owner: <input type="checkbox"/> Manager: <input type="checkbox"/>
If No , please supply the owner's name and address :	Post Code:

Supporting Information for a Temporary Exemption Notice (TEN) :

Please provide the reasons and state the course of action you are taking to ensure the property will no longer required to be licensed. Evidence may be required in support of any statements made. For example, confirmation the property is for up for sale, a copy of an application to Camden's Building Control for a regularisation certificate*, evidence tenant(s) are vacating through proper legal process, or a solicitors letter.

Please note we reserve the right to carry out additional checks in support of your application within the Council and with other agencies as appropriate. Please attach additional sheets/ documents as necessary.

**this will apply for buildings converted into self-contained flats which require proof that the conversion complies with appropriate building regulations where there is no completion certificate*

PART 4: DECLARATION

I/we declare that the information contained in this application is correct to the best of my/our knowledge.

I/we understand that I/we commit an offence if I/we supply any information to a local housing authority in connection with any of their functions under any of Parts 1 to 4 of the Housing Act 2004 that is false or misleading and which I/we know is false or misleading or I am/we are reckless as to whether it is false or misleading.

Signed:..... Print Name:.....

Date:.....

In the case of a limited company, the form must be signed by a director, the company secretary or other authorised officer.

Notes Temporary Exemption Notice (TEN) Housing Act 2004, Part 2, Section 62

A person having control or manager of an HMO may notify the local authority of their intentions to take particular steps with a view to securing that the house is no longer required to be licensed.

The local authority may, if they think fit, serve on that person a TEN in respect of the house. If a TEN is granted the HMO is exempt from licensing and the manager/owner does not commit the offence of operating an HMO without a licence.

A TEN can only be granted for a period of **three months** beginning on the date that it is served. In **exceptional circumstances** the local authority may issue a second TEN to last a further three months following the expiry of the original. For a second TEN to be considered, an application must be made before the first TEN has expired.

If it is decided not to serve a Temporary Exemption Notice in response to an application the applicant will be informed of:

- a) the decision,
- b) the reason for the decision and the date on which it was made,
- c) the right to appeal against the decision,
- d) the period within which an appeal may be made.

The person concerned may appeal to the First-tier Tribunal against the decision within a period of 28 days beginning on the date that the refusal was made.